

MEMO ENDORSE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISIONALAN KACHALSKY, CHRISTINA
NIKOLOV, and SECOND AMENDMENT
FOUNDATION, INC.,

Plaintiffs,

v.

SUSAN CACACE, JEFFREY A. COHEN, and
COUNTY OF WESTCHESTER,

Defendants.

Application granted
The Clerk is to terminate
Doc. 24. (Doc. 21 should
also be terminated as it is
 moot in light of the instant
 application.)

So Ordered.

CASE NO: 10-CV-05413 CS

Cathy Seibel
Cathy Seibel, U.S.D.J.

Dated: 12/9/10

**Application of Amicus Curiae Brady Center to Prevent Gun Violence to File an Amended
Amicus Brief in Support of Defendants' Motion to Dismiss**

Through undersigned counsel, the Brady Center to Prevent Gun Violence applies to the Court to file an amended brief as *amicus curiae* in this case for the facts and reasons stated below. The proposed brief is slightly amended from that appended to the previously-filed Application, and is attached hereto as Exhibit A for the convenience of the Court and counsel. The Attorney General of the State of New York consents to the filing of this brief. While Plaintiffs have filed a Response to Motion to File Amicus Brief stating that they had consented to the filing of the brief after Defendants stated they "would extend reciprocal consent," it is Amicus's understanding that Plaintiffs are incorrect, and that in fact Defendants did not "extend reciprocal consent." The County of Westchester does not take any position on the filing of this brief. The Brady Center is serving copies of this application and its exhibit on all counsel today and will file in accordance with the bundling rule in effect in this case.

The Brady Center to Prevent Gun Violence is the nation's largest non-partisan, non-profit